

V. REMARKS

On page 6, paragraph 1, the Decision on Appeal rejects claim 8 under 35 U.S.C. 102(b) as unpatentable over Mizukai et al. (JP 2001-161950). On page 7, paragraph 2, the Decision on Appeal states that Applicants have two options to either: 1. reopen prosecution by filing an appropriate amendment; or, 2. request rehearing within two months from the date of decision. Applicants elect to file an appropriate amendment.

By this Amendment, claim 8 is canceled. As a result, the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

Claim 9 is amended to include the features of claim 8. Since claim 9 includes allowed subject matter, it is respectfully submitted that claim 9 is now in condition for allowance.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same,

the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Date: June 30, 2010

By:

Respectfully submitted,


Carl Schaukowitch

Reg. No. 29,211

RADER, FISHMAN & GRAUER PLLC
1233 20th Street, N.W. Suite 501
Washington, D.C. 20036
Tel: (202) 955-3750
Fax: (202) 955-3751
Customer No. 23353

Enclosure(s): Amendment Transmittal

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